

Chapter 11-7: Use Standards

11-7.01 Purpose

1. It is the intent of this Chapter to establish appropriate standards for location, design, and operation of uses to assure that they will be developed in a manner consistent with the purpose of the zone they are allowed in.

11-7.02 General to Uses

1. Table 11-7.02.A (Use Table) provides a list of all uses Allowed By-right or by Special Permit in the Harvard Street Form-Based Zones. Any proposed use not listed in the Table is prohibited in the district. Upon request, the Building Commissioner may determine that a proposed use is sufficiently similar to a use listed in the Table and permit the proposed use according to the permissions of the use deemed to be similar.
2. Section 11-7.03 (Definitions and Standards Specific to Uses) provides definitions for use categories and individual uses and identifies standards and requirements applicable to either all uses within a category or specifically to an individual use.
3. In some cases, a principal use may include ancillary activities that are subordinate, customary, and incidental to the day-to-day operations of the principal use. Such ancillary activities do not require separate approval, but must comply with any standards applicable to the principal use. Many of the uses below include specific references to permitted ancillary uses but additional ancillary uses can be permitted if the ancillary use is shown, to the satisfaction of the Building Commissioner, to be customary and incidental to the principal use.
4. Where a mix of principal uses is proposed on a given property and neither use is considered ancillary to the other, each use shall be permitted according to the permissions associated with that use in Table 11-7.02.A (Use Table).
 - A. Example: a project proposing a Household Living component and a Bed & Breakfast component will be required to seek a Special Permit for the Bed & Breakfast.
5. For uses in the Harvard Street Form-Based Zones, the parking requirements of Section 6.02, Paragraph 1, Table of Off-Street Parking Space Requirements, are replaced by the minimum and maximum requirements listed in Table 11-7.02.A (Use Table).
6. Ground floor commercial use shall be required in H-MS, H-MS-O, H-MST, and H-MSN zones and shall meet the standards set forth in Subsection H of each zone's standards as described in Chapter 11-2. A Ground Floor Commercial Incentive is available per Article IV Section 4.08 and Section 11-8.02 and is applicable to all Harvard Street Main Street zones except H-MST-L.

Table 11-7.02.A: Use Table

Use Category	Form-Based Zones					Vehicular Parking Standards	
	H-MS	H-MS-O	H-MST	H-MST-L	H-MSN	Minimum	Maximum
ARTS & CREATIVE ENTERPRISE							
Artisanal Production	A	A	A	X	A	0	1 sp. per 600 sf of GFA
Arts Sales and Services	A	A	A	X	A	0	1 sp. per 600 sf of GFA
Design Services	A	A	A	X	A	0	1 sp. per 600 sf of GFA
Shared Workspaces & Arts Ed	A	A	A	X	A	0	1 sp. per 600 sf of GFA
CIVIC & INSTITUTIONAL							
Library or Museum	SP	A	A	X	SP	1 sp. per 550 sf of GFA	n/a
Private Non-Profit Recreational Facility, Club, or Lodge	SP	A	A	X	SP	0	1 sp. per 550 sf of GFA
Private Non-Profit Adult Education and Community Centers	SP	A	A	X	SP	0	1 sp. per 550 sf of GFA
Public Service or Facility	A	A	A	X	A	0	1 sp. per 550 sf of GFA
Religious & Educational Uses Protected by M.G.L. 40A Sec 3	A	A	A	A	A	1 sp. per 550 sf of GFA	n/a
COMMERCIAL SERVICES							
Pet Daycare, Grooming, or Training	X	A	A	X	X	0	1 sp. per 600 sf of GFA
Veterinarian	X	A	A	X	X	0	1 sp. per 600 sf of GFA
Assembly Spaces	SP	A	A	X	X	0	1 sp. per 600 sf of GFA
Banking & Financial Services	A	A	A	X	X	0	1 sp. per 600 sf of GFA
Broadcast and/or Recording Studio	SP	A*	A*	X	X	0	1 sp. per 600 sf of GFA
Building & Home Repair Services	X	SP	SP	X	X	0	1 sp. per 600 sf of GFA
Business Support Services	SP	A	A	X	SP	0	1 sp. per 600 sf of GFA
Caterer/Whole Food Prep	SP	A	A	X	SP	0	1 sp. per 600 sf of GFA
Adult Day Care Center	SP	A	A	X	SP	0	1 sp. per 600 sf of GFA
Child Day Care Center	SP	A	A	X	SP	0	1 sp. per 600 sf of GFA
Educational Services	SP	A	A	X	SP	0	1 sp. per 600 sf of GFA
Maintenance & Repair of Consumer Goods	A	A	A	X	SP	0	1 sp. per 600 sf of GFA
Body-Art Services	SP	A	A	X	SP	0	1 sp. per 600 sf of GFA
Health and Fitness Club	SP	A	A	X	X	0	1 sp. per 600 sf of GFA
Funeral Services	X	SP	SP	X	X	0	1 sp. per 250 sf of GFA
Health Care Services	A	A	A	X	A	0	1 sp. per 250 sf of GFA
Recreation Services	SP	A	A	X	SP	0	1 sp. per 600 sf of GFA

Key	A = Allowed By-right	SP = Allowed by Special Permit	X = Not Allowed
	A* = Allowed, prohibited on ground floor	SP* = Special Permit, prohibited on ground floor	

Table 11-7.02.A: Use Table (continued)

Use Category	Form-Based Zones					Vehicular Parking Standards	
	H-MS	H-MS-O	H-MST	H-MST-L	H-MSN	Minimum	Maximum
FOOD & BEVERAGE SERVICES							
Food Hall	SP	SP	SP	X	X	0	1 sp. per 5 seats
Brewery/Distillery	A	A	A	X	X	0	1 sp. per 5 seats
Bar, Restaurant, Tavern	A	A	A	X	X	0	1 sp. per 5 seats
Bakery, Cafe, Coffee/Tea Shop	A	A	A	X	SP	0	1 sp. per 5 seats
INDUSTRY							
Wholesale Business or Storage	X	SP	SP	X	X	1 sp. per 1,200 sf of GFA	n/a
Printing and Publishing	SP	A	A	X	X	1 sp. per 1,200 sf of GFA	n/a
LODGING							
Bed & Breakfast	SP	A	A	X	A	2 sp. per room	n/a
Short-Term Rentals	SP	SP	SP	X	SP	2 sp. per room	n/a
Hotel or Hostel	SP	A	A	X	SP	2 sp. per room	n/a
MARIJUANA ESTABLISHMENT							
Marijuana Cultivators	X	SP	SP	X	X	1 sp. per 600 sf of GFA	n/a
Marijuana Couriers and Marijuana Transporters	SP*	SP*	SP*	X	X	1 sp. per 600 sf of GFA	n/a
Marijuana Delivery Operators	X	X	X	X	X	1 sp. per 600 sf of GFA	n/a
Marijuana Independent Testing Laboratories, Standards Labs, Research Facilities	X	X	SP	X	X	1 sp. per 600 sf of GFA	n/a
Medical Marijuana Treatment Centers	X	X	SP	X	X	1 sp. per 600 sf of GFA	n/a
Social Consumption Marijuana Retailers	SP	SP	SP	X	X	1 sp. per 600 sf of GFA	n/a
Storefront Marijuana Retailers	SP	SP	SP	X	X	1 sp. per 600 sf of GFA	n/a
OFFICE							
General Office	A	A	A	X	A	0	1 sp. per 600 sf of GFA
RESIDENTIAL							
Household Living	A	A	A	A	A	0.5 sp. per d.u.	1 sp. per d.u.
Group Living	SP	A	A	SP	SP	0	1 sp. per d.u.
Community or Group Residence	SP	A	A	SP	A	0	1 sp. per d.u.

Key	A = Allowed By-right	SP = Allowed by Special Permit	X = Not Allowed
	A* = Allowed, prohibited on ground floor	SP* = Special Permit, prohibited on ground floor	

Table 11-7.02.A: Use Table (continued)

Use Category	Form-Based Zones					Vehicular Parking Standards	
	H-MS	H-MS-O	H-MST	H-MST-L	H-MSN	Minimum	Maximum
RETAIL SALES							
Store of Less Than 5,000 sq. ft.	A	A	A	X	A	0	1 sp. per 350 sf of GFA
Store of More Than 5,000 sq. ft. But Less Than 15,000 sq. ft.	SP	A	A	X	X	0	1 sp. per 350 sf of GFA
Store of More Than 15,000 sq. ft.	SP	A	A	X	X	0	1 sp. per 350 sf of GFA
Outdoor Sales	A	A	A	X	SP	0	1 sp. per 350 sf of GFA
AGRICULTURE							
Agriculture, Horticulture, Floriculture, >5 acres	A	A	A	X	A	1 sp. per 350 sf of GFA	n/a
Agriculture, Horticulture, Floriculture, <5 acres	SP	SP	SP	X	SP	1 sp. per 350 sf of GFA	n/a

Key	A = Allowed By-right	SP = Allowed by Special Permit	X = Not Allowed
	A* = Allowed, prohibited on ground floor	SP* = Special Permit, prohibited on ground floor	

11-7.03 Definitions and Standards Specific to Uses

1. Arts and Creative Enterprise Uses

- A. **Artisanal Production.** The on-site production of hand-fabricated or hand-manufactured parts and custom or craft consumer goods based on the skill and knowledge of the artisan and the use of hand tools or small-scale, light mechanical equipment. The Artisanal Production category includes apparel manufacturing, cabinetry, chocolatiers, confectionery, furniture making, glass working, jewelry making, metal working, pottery, sculpture, wood working, and their substantial equivalents. The ancillary sale of goods is permitted. The production of offensive noise, vibration, smoke, dust or other particulate matter, heat, humidity, glare, or other objectionable effect affecting neighboring properties is prohibited.
- B. **Arts Sales and Services.** The display and retail sale, lease, or rental of finished artwork, art supplies, musical instruments, multi-media, or publications and activities that provide various arts related services to individuals, groups, or businesses including galleries, supply stores, printing shops, set design studios, and their substantial equivalents. Production of finished products on site is prohibited.
- C. **Design Services.** Individuals and firms that provide design services to individuals, groups, or businesses including architectural design, fashion design, graphic design, interior design, industrial design, landscape architecture, product development, software development, urban design, and their substantial equivalents.
- D. **Shared Workspaces & Arts Ed.** The transfer of knowledge or skills related to the creative enterprises through teaching, training, or research; organizations providing collaborative workplace facilities and business planning, finance, mentoring, and other business or administrative support services to creative enterprises; and multipurpose facilities dedicated to providing space for multiple creative enterprises. The shared workspace & arts education category includes arts centers, creative incubators, culinary incubators, design & fabrication centers, fabrication laboratories, and their substantial equivalents. The production of offensive noise, vibration, smoke, dust or other particulate matter, heat, humidity, glare, or other objectionable effect affecting neighboring properties is prohibited.

2. Civic & Institutional Uses

- A. **Library or Museum.** A facility providing physical or digital access to information resources for reference or borrowing by the general public and often providing areas for study, research, and collaboration (library) or a repository for a collection of collections of historical, natural, scientific, or literary objects of interest (museum). The following standards apply:
 - (1) The facility must be open to the public or connected with a permitted educational use.
 - (2) The use shall not be conducted as a private gainful business.
 - (3) Ancillary sale of goods and the holding of meetings and social events are permitted.
- B. **Private Non-Profit Recreational Facility, Club, or Lodge.** An organization, which is open to people upon invitation, nomination, or payment of fees or dues for social, recreational, or entertainment activities. The following standards apply:
 - (1) A non-profit club or lodge must be open only to members and their associated guests.
 - (2) The use shall not be conducted as a private gainful business.

- (3) No outdoor active recreation area shall be located nearer than 10 feet to any lot line.
- (4) Indoor and outdoor noisy activities shall be sound-insulated to meet the approval of the Building Commissioner or the Zoning Board of Appeals (if permitted by Special Permit) so as to protect the neighborhood from inappropriate noise in any season.

C. **Private Non-Profit Adult Education and Community Center.** A place for recreational, social, educational or cultural activities operated by a non-profit or public agency subject to the following standards:

- (1) The use shall not be conducted as a private gainful business.
- (2) No outdoor active recreation area shall be located nearer than 10 feet to any lot line.
- (3) Indoor and outdoor noisy activities shall be sound-insulated to meet the approval of the Building Commissioner or the Zoning Board of Appeals (if permitted by Special Permit) so as to protect the neighborhood from inappropriate noise in any season.

D. **Public Service or Facility.** Essential public services provided to the community at large including municipal operations of the Town of Brookline, such as departmental offices, social service facilities, and public works facilities; public safety services, such as police and firefighting headquarters and substations; and civic spaces.

E. **Religious & Educational Uses Protected by M.G.L. 40A Sec. 3.** Activities related to providing general or specialized education, instruction, or training in subject areas, skills, or vocations and the practice of religions, including all ancillary activities customarily included in the operations of educational institutions and religious organizations. Real property must be owned or leased by the Commonwealth of Massachusetts, a religious sect or denomination, or by a non-profit educational corporation. No outdoor active recreation area shall be located nearer than 10 feet to any lot line.

3. Commercial Services Uses

A. **Pet Daycare, Grooming, or Training.** The grooming of dogs, cats, and similar household pets, or kennel and/or training centers for animals operated on a daytime-only basis. The following standards shall apply:

- (1) No outdoor facilities for the animals shall be permitted.
- (2) Ancillary sale of goods is permitted.
- (3) Methods or techniques for noise mitigation to limit noise for other users of the building and abutting properties shall be submitted.
- (4) Operational procedures shall be submitted for cleaning the interior and exterior of the site and trash storage and removal.
- (5) Studies by recognized experts shall be submitted to ensure, to the satisfaction of the Building Commissioner and Director of Public Health and Human Services, that the use will be constructed and operated so as to safeguard nearby properties against undue noise, odor, and improper waste disposal.

- B. **Veterinarian.** The diagnosis and treatment of animal patients' illnesses, injuries, and physical malfunctions performed in an office setting. The following standards apply:
- (1) Overnight boarding of animals is limited to patients recovering from medical procedures.
 - (2) Ancillary sale of goods is permitted.
 - (3) No outdoor facilities for the animals shall be permitted.
 - (4) Methods or techniques for noise mitigation to limit noise for other users of the building and abutting properties shall be submitted.
 - (5) Operational procedures shall be submitted for cleaning the interior and exterior of the site and trash storage and removal.
 - (6) Studies by recognized experts shall be submitted to ensure, to the satisfaction of the Building Commissioner and Director of Public Health and Human Services, that the use will be constructed and operated so as to safeguard nearby properties against undue noise, odor, and improper waste disposal.
- C. **Assembly Spaces.** Uses that provide gathering places for participant or spectator recreation, entertainment, or other assembly activities including, but not limited to, a theater, cinema, and/or venue of a professional or semi-professional sports team. Assembly uses may include sale of goods as an ancillary activity and provide ancillary food or beverage service for on-site consumption.
- D. **Banking & Financial Services.** Uses related to the exchange, lending, borrowing, and safe-keeping of money.
- E. **Broadcast and/or Recording Studio.** Uses that provide studios for audio or video production, recording, filming, or broadcasting of radio or television programs over-the-air, cable, or satellite. In Main Street subdistricts, this use is prohibited on the ground floor.
- F. **Building & Home Repair Services.** Uses that provide maintenance and repair services for all structural and mechanical elements of structures, as well as the exterior spaces of a premise. Typical uses include janitorial, landscape maintenance, exterminator, plumbing, electrical, HVAC, window cleaning, and similar services. The ancillary sale of goods is permitted.
- G. **Business Support Services.** Uses that provide personnel services, printing, copying, photographic services, or communication services to businesses or consumers. Typical uses include employment agencies, copy and print shops, telephone answering services, and photo developing labs. The ancillary sale of goods is permitted.
- H. **Caterer/Whole Food Prep.** The preparation of food in significant quantities to be delivered and served or sold off-site. The ancillary sale of goods is permitted.
- I. **Adult Day Care Center.** A day care service providing licensed custodial care for up to sixteen (16) hours per day of adults over eighteen (18) years old, related or unrelated, who need supervision and/or assistance with routine daily functions but who are not in need of regular medical attention. The following standards apply:
- (1) All persons must be eighteen (18) years of age or older.
- J. **Child Day Care Center.** A day care service as defined in MGL 15D Section 1A. A plan for the safe drop-off and pick-up of day care children shall be submitted and meet the approval of the Transportation Administrator and the Building Commissioner or the Zoning Board of Appeals (if permitted by Special Permit).

- K. **Educational Services.** The general or specialized pre-primary, primary, secondary, vocational, or tertiary education, instruction, or training in subject areas, skills, or vocations. Ancillary facilities customarily provided by educational service uses directly serving the needs of employees and students are permitted including, but not limited to, classrooms, administrative offices, research centers, laboratories, auditoria, study halls, on-campus housing, libraries, temporary structures, campus centers, bookstores, laundry services, light manufacturing, retail sales, Food & Beverage Services, banks, athletic fields, parking facilities, and their substantial equivalents. Educational Services and their ancillary uses with more than 10,000 square feet of gross floor area require a Special Permit in all districts.
 - L. **Maintenance & Repair of Consumer Goods.** Uses that provide maintenance, cleaning, or repair services for consumer goods. Typical uses include dry cleaning shops, tailors, shoe repair, vacuum repair shops, electronics repair shops, and similar establishments. The ancillary sale of goods is permitted.
 - M. **Body-Art Services.** Use of a space for the practice of physical body adornment by permitted establishments and practitioners using, but not limited to the following techniques: piercing, tattooing, cosmetic tattooing, branding and scarification. The ancillary sale of goods is permitted. Procedures considered 'medical procedures' by the Board of Registration in Medicine, such as implants under the skin, are prohibited.
 - N. **Health and Fitness Club.** Use of space for physical exercise or training on an individual or group basis, using exercise equipment or open floor space, with or without an option for having instruction with a personal trainer. The ancillary sale of goods is permitted.
 - O. **Funeral Services.** Use of space where the deceased are prepared for burial display and for rituals before burial or cremation. Such facilities may include ancillary chapels, crematoriums, and showrooms for the display and sale of caskets, vaults, urns, and other items related to burial services.
 - P. **Health Care Services.** Office or clinic for medical or dental examination or treatment of persons as out-patients, including ancillary laboratories and sale of goods.
 - Q. **Recreation Services.** Use of indoor space for the communal or solitary, active or passive pursuit of leisure activities. These include but are not limited to bowling alleys, arcades, and pool halls, provided that such use is housed in a structure sufficiently sound-insulated so as to protect the neighborhood from inappropriate noise in any season. Recreation Services uses may include sale of goods as an ancillary activity and provide ancillary food or beverage service for on-site consumption.
4. **Food and Beverage Services Uses**
- A. **Food Hall.** Use that contains more than one food vendor selling prepared food and beverages for either on or off-site consumption. On-site consumption is provided in a common area and is available to all patrons. The following standards apply:
 - (1) Food vendors are individually subject to all other local permitting and licensing requirements.
 - (2) Alcoholic beverage sale and consumption is permitted for on-site consumption and is subject to obtaining all other required local permitting and licensing.

- B. **Brewery/Distillery.** Use that produces beer or a hard liquor that is ready for purchase and consumption on-site in a taproom. Provides respective alcohol for sale to be consumed on premise or for consumption off premises in a packaged form. On site food preparation and consumption is permitted as an ancillary use provided all requisite local permitting and licensing is obtained by the food vendor. A minimum of 20% of the gross floor area of the Brewery/Distillery must be devoted to brewing/distilling activities.
 - C. **Bar, Restaurant, Tavern.** An establishment, with or without live entertainment, preparing and selling ready-to-consume food or drinks and the sale of alcoholic beverages for on-site consumption. The Bar, Restaurant, or Tavern use category includes lounges, nightclubs, dance halls, pubs, saloons and their substantial equivalents.
 - D. **Bakery, Cafe, Coffee/Tea Shop.** An establishment preparing and selling ready-to consume food and drinks.
5. **Industry**
- A. **Wholesale Business or Storage.** Uses engaged in the wholesale collection, sorting, processing, and distribution of bulk mail, packages or commercial goods, storage, processing, and distribution of bulk goods including, but not limited to, furniture & home furnishings; professional and commercial equipment; electrical goods; hardware, plumbing, and heating equipment; paper and paper products; sundries; apparel; food and beverages; healthcare equipment and supplies; and their substantial equivalents to retailers, commercial services, and/or industrial businesses. The following standards apply:
 - (1) The use is not permitted in storefront, ground-floor spaces facing public ways or must include an ancillary use at storefront level, including but not limited to, a wholesale goods display component or retail component.
 - (2) Activities may include physically assembling, sorting, and grading goods into large lots and breaking bulk for redistribution in smaller lots in such a way that has minimal impact on surrounding properties, and cannot take place on the first floor facing the public right of way.
 - (3) The wholesale and/or storage or warehousing of toxic and/or hazardous materials is prohibited.
 - (4) All storage of materials and equipment and all business operations, such as loading, parking, and storage of commercial vehicles, must be within an enclosed building.
 - B. **Printing and Publishing.** Any businesses that provide front end printing services to the public on a walk-in basis, or the physical publishing of books, pamphlets, posters, and other paper products for personal or commercial use. The ancillary sale of goods is permitted.
6. **Lodging Uses**
- A. **Bed & Breakfast.** A single dwelling unit residential structure providing rooms for temporary, overnight lodging, with or without meals, for paying guests. The following standards apply:
 - (1) A Bed & Breakfast lodging use is only permitted in an owner-occupied or manager-occupied structure.
 - (2) A common gathering space, such as a parlor, dining room, or living room must be maintained for guest use.
 - (3) Cooking facilities are not permitted in guest rooms.

- B. **Short-Term Rentals.** The rental of a whole or portion of a Dwelling Unit for not more than twenty seven (27) consecutive calendar days, as otherwise defined by M.G.L. Chapter 64G, Sec. 1, which shall be the Primary Residence of the operator. All Short-Term Rentals are subject to the requirements of Section 4.14.

In accordance with M.G.L. Chapter 64G, the term excludes properties that are, or that are required by law to be, licensed as a lodging house because the lodgings are rented to four or more persons not within the second degree of kindred to the owner or operator. The term also excludes: (a) properties that are, or that are required by law to be, licensed as a hotel, motel, or bed and breakfast establishment, and (b) Accessory Dwelling Units (as defined and permitted otherwise by the Town's Zoning Bylaw) or their associated primary dwelling units.

- C. **Hotel or Hostel.** A building providing temporary lodging in guest rooms or apartments to persons who have residences elsewhere for a fee. The following standards apply:
- (1) Hotel or hostel employees must be on-site at all times.
 - (2) A hostel must be associated with a national or international hostel organization.
 - (3) In addition to the review criteria for all Special Permits specified in Section 9.05, the Zoning Board of Appeals shall make findings considering the following in its discretion to approve or deny a Special Permit:
 - (a) Compatibility with the level of activity associated with the surrounding properties
 - (b) Capacity of the local public ways providing access to the site and impact on pedestrian, bicycle, and vehicular traffic and circulation patterns in the neighborhood.
 - (c) Location and visibility of the principal entrance, guest drop-off area, taxi queuing station, outdoor amenity space for guests and employees, and pedestrian circulation from all exit points.

7. **Marijuana Establishments Uses**

All Marijuana Establishments are subject to the requirements of Sections 4.12 and 4.13, as applicable. Where those Sections include requirements based on zoning districts, Marijuana Establishments Uses located in the Harvard Street Form-based Zones should be considered as being in a General Business district.

- A. **Marijuana Cultivator.** As defined or amended by State regulations, an entity licensed by the Massachusetts Cannabis Control Commission to cultivate, process, and package Marijuana, to deliver Marijuana to Marijuana Establishments and to transfer Marijuana to other Marijuana Establishments, but not to consumers. This definition includes the foregoing uses described in this definition when conducted by other types of Marijuana Establishments.
- B. **Marijuana Courier.** As defined or amended by State regulations, an entity licensed by the Massachusetts Cannabis Control Commission to deliver Marijuana Products, Marijuana Accessories and Marijuana Establishment Branded Goods directly to consumers from a Marijuana Retailer, or directly to registered qualifying patients or caregivers from an Medical Marijuana Treatment Center, but is not authorized to sell Marijuana or Marijuana Products directly to consumers, registered qualifying patients or caregivers and is not authorized to wholesale, Warehouse, process, repackage, or White Label. This definition includes the foregoing uses described in this definition when conducted by other types of Marijuana Establishments. In Main Street sub-zones this use is prohibited on the ground floor.

- C. **Marijuana Transporter.** As defined or amended by State regulations, an entity, not otherwise licensed by the Massachusetts Cannabis Control Commission, that is licensed by the Massachusetts Cannabis Control Commission to possess Marijuana Products solely for the purpose of transporting, temporary storage, sale and distribution to Marijuana Establishments or Medical Marijuana Treatment Centers, but not to consumers. This definition includes the foregoing uses described in this definition when conducted by other types of Marijuana Establishments. In Main Street sub-zones this use is prohibited on the ground floor.
- D. **Marijuana Delivery Operator.** As defined or amended by State regulations, an entity licensed by the Massachusetts Cannabis Control Commission to purchase at wholesale and Warehouse Finished Marijuana Products and White Label, sell and deliver Finished Marijuana Products, Marijuana Accessories and Marijuana Establishment Branded Goods directly to consumers, but is not authorized to repackage Marijuana or Marijuana Products or operate a storefront under this license. For Delivery Operators, the location of the Warehouse shall be the Licensee's principle place of business within the Town. This definition includes the foregoing uses described in this definition when conducted by other types of Marijuana Establishments.
- E. **Marijuana Independent Testing Laboratory.** As defined or amended by State regulations, an entity licensed or registered by the Massachusetts Cannabis Control Commission that is qualified to test Marijuana and Marijuana Products in conformity with State law. This definition includes the foregoing uses described in this definition when conducted by other types of Marijuana Establishments.
- F. **Standards Laboratory.** As defined or amended by State regulations, a laboratory meeting the requirements of the Independent Testing laboratory that is licensed by the Massachusetts Cannabis Control Commission as a Standards Laboratory to ensure consistent and compliant testing by the Independent Testing Laboratories. This definition includes the foregoing uses described in this definition when conducted by other types of Marijuana Establishments.
- G. **Marijuana Research Facility.** As defined or amended by State regulations, an academic institution, nonprofit corporation or domestic corporation or entity licensed by the Massachusetts Cannabis Control Commission to conduct research. This definition includes the foregoing uses described in this definition when conducted by other types of Marijuana Establishments.
- H. **Medical Marijuana Treatment Center.** As defined or amended by State regulations, an entity licensed by the Massachusetts Cannabis Control Commission that acquires, cultivates, possesses, processes (including development of related products such as edibles, MIPs, tinctures, aerosols, oils, or ointments), repackages, transports, sells, distributes, delivers, dispenses, or administers Marijuana, products containing Marijuana, related supplies, or educational materials to registered qualifying patients or their personal caregivers for medical use. This definition includes the foregoing uses described in this definition when conducted by other types of Marijuana Establishments.
- I. **Social Consumption Marijuana Retailer.** As defined or amended by State regulations and the Town's General Bylaws, a Marijuana Retailer licensed by the Massachusetts Cannabis Control Commission to sell Marijuana or Marijuana Products and allow consumers to consume Marijuana or Marijuana Products solely on its premises. This definition includes the foregoing uses described in this definition when conducted by other types of Marijuana Establishments.
- J. **Storefront Marijuana Retailer.** As defined or amended by State regulations, a Marijuana Retailer providing a retail location accessible to consumers 21 years of age or older or in possession of a registration card demonstrating that the individual is a registered qualifying patient with the Medical Use of Marijuana Program. This definition includes the foregoing uses described in this definition when conducted by other types of Marijuana Establishments.

8. Office Uses

- A. **General Office.** The regular processing, manipulation, or application of business information or professional expertise predominantly for administrative, professional, and clerical operations in accounting, advertising, business to business brokerage and other business support services, employment, finance, healthcare administration, information technology and/or services, insurance, internet content development and publishing, law, real estate, urban development and their substantial equivalents. Office activities may or may not provide direct services to the public. The following standards apply:
- (1) Office uses do not include activities materially involved in fabricating, assembling, or warehousing physical products for the retail or wholesale market.
 - (2) For General Office uses located in Main Street subdistricts and that are not open to the public, the use is prohibited on the ground floor.

9. Residential Uses

- A. **Household Living.** Residential occupancy of a building or portion of a building in dwelling units by one or more persons living together as a single housekeeping unit, including paid caregivers. The Zoning Board of Appeals may grant a Special Permit to increase the maximum parking requirement listed in the Use Table up to a maximum of 2 spaces per dwelling unit. The Zoning Board of Appeals may grant a Special Permit to decrease or eliminate the minimum parking requirement listed in the Use Table.
- B. **Group Living.** Residential occupancy of a dwelling unit by two or more housekeeping units, or residential occupancy of a portion of a building divided into rooming units by two or more housekeeping units; and any multi-unit housing owned by or affiliated with an educational institution. Group living residential uses are not permitted to be offered as Short-Term Rentals. The group living use category includes any residential occupancy that is not categorized as household living and any residential accommodations that provide a kitchen, dining room, living room, or bathroom shared between rooming units.
- C. **Community or Group Residence.** Residential occupancy of a dwelling unit by two or more housekeeping units where one or more occupying individuals are 'handicapped' as defined in 42 U.S.C. §3602 or have a 'disability' as defined in 42 U.S.C. §12102. Both terms are defined as a physical or mental impairment that substantially limits one or more major life activities; a record of such an impairment; or being regarded as having such an impairment not including current, illegal use of or addiction to a controlled substance. Includes facilities with the primary function of providing overnight sleeping accommodations in rooming units or bunk rooms to people experiencing homelessness. Includes residential occupancy in rooming units where room and board, personal services, and skilled nursing care or hospice care is provided to tenants, but specifically excludes hospitals.

10. Retail Sales Uses

- A. **Store of Less Than 5,000 sq. ft.** Store of less than 5,000 square feet of gross floor area per establishment, primarily serving the local retail business needs of the community, including but not limited to grocer, baker, food store, package store, dry goods, variety, clothing, hardware, paint, household appliances, books, tobacco, flowers, drugs.
- B. **Store of More Than 5,000 sq. ft. But Less Than 15,000 sq. ft.** Store of more than 5,000 square feet but less than 10,000 square feet serving the general retail needs of the community, including but not limited to general merchandise department store, furniture and household goods.
- C. **Store of More Than 15,000 sq. ft.** Store of more than 15,000 square feet of gross floor area serving the general retail needs of the region, including but not limited to general merchandise department store, supermarket, grocery store, furniture and household goods. If located in a Main Street subdistrict, this use must be located on lots with less than 10,000 square feet and a maximum of 60% of the gross floor area of the use may be located on the ground floor. If located in any other subdistrict, the use may only be located on lots with at least 15,000 square feet.
- D. **Outdoor Sales.** The display and/or sale of goods outside the enclosure of a building. The following standards apply:
 - (1) The use may only be permitted on a temporary basis for up to 4 months.
 - (2) Outdoor displays must be removed and placed inside a fully-enclosed building at the end of each business day.
 - (3) A minimum four-foot-wide clear path of access must be maintained to the principal entrance.

11. Agricultural Uses

Uses that include the small-scale production and sale of agriculture including fresh produce, plants, flowers, and other horticultural items for commercial purposes, whether grown indoors or outdoors. The ancillary sale of goods (including agricultural products grown on-site) is permitted. The following standards apply:

- (1) The keeping of livestock as outlined in Article IV, Section 4.07, Use 57 is prohibited.
- (2) The cultivation of marijuana and hemp products is governed by the Town's marijuana bylaw as outlined in Article IV, Section 4.12 and Section 4.13.